

GP121-02.UT

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#10

Applicant	:	Hogan et al.	)	Group Art Unit 1636
			)	
Appl. No.	:	09/846,797	)	
			)	
Filed	:	May 1, 2001	)	
			)	
For	:	Polynucleotide Probes for Detection and Quantitation of Candida Species	)	
			)	
Examiner	:	Konstantina Katcheves	)	

RECEIVED  
JUL 23 2003  
TECH CENTER 1600/2900

**RESPONSE TO OFFICIAL COMMUNICATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Communication mailed April 9, 2003, please consider the following.

**REMARKS**

Applicants acknowledge receiving the April 9, 2003 Official Communication wherein the Examiner indicated that the Restriction Requirement had been misconstrued. The Communication stated that "...Applicant still needs to choose one helper sequence from Claim 25 to examine the present application pursuant to the present restriction requirement." Applicants' Representative spoke with Examiner Katcheves on July 15, 2003 to clarify the nature of the pending requirement.

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Filed : May 1, 2002

In response to the Restriction Requirement and subsequent Notice, and consistent with the discussion on July 15, 2003, Applicant hereby elects SEQ ID NO:4 in addition to SEQ ID NOs:1 and 5 for examination.

**CONCLUSION**

The present application is now believed to be in condition for examination. Prompt examination on the merits of the application is, therefore, respectfully requested.

Respectfully submitted,

GEN-PROBE INCORPORATED

Dated: July 15, 2003

By: 

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